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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,280	08/27/2003	Akira Mizuta	Q76402	4443

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EXAMINER

NORDMEYER, PATRICIA L

ART UNIT PAPER NUMBER

1772

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/648,280

Applicant(s)

MIZUTA, AKIRA

Examiner

Patricia L. Nordmeyer

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Withdrawn Rejections

Any rejections and or objections, made in the previous Office Action, and not repeated below, are hereby withdrawn.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shigetomi et al. (USPN 6,287,661) in view of Liu et al. (USPGPub 2003/0044559).

Shigetomi et al. disclose a cover sheet package (Column 1, line 6) comprising a thin film cover sheet including a resin film (Column 2, lines 22 – 29), the thin film cover sheet having an adhesive film formed on one side surface of the resin film (Column 2, lines 62 – 65), and which is adhered via the adhesive film to a recording surface a disk substrate of an optical disc (Column 1, lines 6 – 7); a peeling sheet which is peelably adhered on a surface of the adhesive film of the cover sheet and which is peeled before the cover sheet is adhered to the recording surface of the disk substrate (Column 3, lines 51 – 57); and a protective sheet which is peelably adhered on a surface of the resin film of the cover sheet (Column 2, lines 55 – 57) wherein, when an adhesive force for adhering the peeling sheet to the adhesive film of the cover sheet is indicated by AP₁

and an adhesive force for adhering the protective sheet to the resin film of the cover sheet is indicated by AP_2 , the peeling sheet is adhered to the adhesive film of the cover sheet and the protective sheet is adhered to the resin film of the cover sheet so that the relationship AP_1 less than or equal to AP_2 is satisfied by the release coating that is formed on the liner material (Column 3, lines 54 – 57) as in claim 1. With regard to claim 3, the cover sheet, the resin film and adhesive film, has a total thickness that ranges from 13 micrometers to 300 micrometers (Column 2, lines 43 – 45; Column 3, lines 46 – 48). However, Shigetomi et al. fails to disclose the thin film cover sheet being adhered via the adhesive film to a recording surface of a disk substrate, the adhesive force AP_1 is set to be a value selected from a range of 5 to 50 g/cm and the adhesive force is set to be a value selected from a range of $(AP_1 * 1.0)$ to $(AP_1 * 3.0)$.

Liu et al. teach the thin film cover sheet being adhered via the adhesive film, repositionable adhesive, to a recording surface of a disk substrate (Page 2, Paragraph 0037, lines 1 – 5), the adhesive force AP_1 is set to be a value selected from a range of 5 to 50 g/cm (Page 9, claims 3 and 4), and the adhesive force is set to be a value selected from a range of $(AP_1 * 1.0)$ to $(AP_1 * 3.0)$ (Page 3, Paragraph 0042) for the purpose of using adhesive coated articles to economically, efficiently and safely pack, store, clean, protect, organize and index optical recording media (Page 1, Paragraph 0002, lines 1 – 3).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the difference in adhesive force of the adhesive layer to different surfaces in Shigetomi et al. in order to use adhesive coated articles to economically,

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efficiently and safely pack, store, clean, protect, organize and index optical recording media as taught by Liu et al.

Response to Arguments

3. Applicant's arguments with respect to claims 1 – 3 have been considered but are moot in view of the new ground(s) of rejection. However, since the same prior art is being applied above, the arguments will be responded to below.

In response to Applicant's argument that there is no disclosure in Shigetomi regarding the adhesive characteristics of the release liner with respect to the protective film, Shigetomi clearly states that the base film is covered with a protect film having the same shrinkage ratio as the base (Column 2, lines 55 – 60) and the release liner is coated with a release agent (Column 3, lines 55 – 57). It would be obvious to one of ordinary skill in the art the adhesive force of the protect film would be greater than the adhesive force of the release layer since the release layer has been treated to make it releasably adhered to a surface.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Nordmeyer whose telephone number is (571) 272-1496. The examiner can normally be reached on Mon.-Thurs. from 7:00-4:30 & alternate Fridays.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patricia L. Nordmeyer
Examiner
Art Unit 1772


pln


HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

9/20/05